IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 19840 of 2004

Between:

1 P. Ganesh Kar, S/o Ailaiah,
R/o H.No. 69, MRG (II) Housing Board Colony,

Karimnagar, Karimnagar District.
2 G.Laxmana Chary, S/o Venkata Swamy,
r/o Sunny Arts, H.No. 12-3-49, Opp: APSEB (S.E) ,

Jyothinagar, Karimnagar.

..... PETITIONERS

AND

1 The Superintending Engineering (Operation) Northern Power Distribution Company of A.P. Limited, Karimnagar, Karimnagar District.
2 The Chief General Manager, HRD Andhra Pradesh Northern Power Distribution Company of A.P. Limited, Warangal.
3 The Chairman/The Managing Director, Northern Power Distribution Company of A.P. Limited, Vidyut Soudha , Khairatabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction especially one in the nature of Mandamus directing the respondents to take cognizance of the genuineness of Petitioner's service certificates for the appointment for the interview conducted on 3-12-2003 pursuant to BPMS No. 36 dated 18-5-1997 by declaring the action of the respondent in rejecting Petitioner's cases saying that the results of the interviews held on 3-12-2003 are NIL as improper, illegal, and arbitrary and consequently direct the respondents to consider Petitioner's cases for the appointments for the post of LDC/Typist or any other equivalent posts.

Counsel for the Petitioner: SMT.A.PANKAJA
Counsel for the Respondents: MR.S.RAVINDRANATH

The Court at the stage of admission made the following:

HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.19840 OF 2004

ORDER:

The petitioners contend that they worked as Contract Labour under the Respondent-Company. The respondent board issued a notification on 15.11.2002 inviting applications from eligible candidates for the posts of LDC and Typists. The petitioners contend that they are eligible for those posts and therefore, they made applications for the posts of LDC and Typists respectively along with their bio-data. After scrutinizing the applications, the respondent published a list of candidates, who are eligible for interview through the notification, dated 18.11.2002. The petitioners contend that they attended the interview conducted on 03.12.2002 in pursuance of the call letters dated 19.11.2002 received by them. Subsequently, the second respondent declared that there are no successful candidates and thus the results of the interview held are 'nil'. The petitioners further contend that some of the candidates, who attended the interviews along with the petitioners filed W.P.No.5064 of 1999 and other writ petitions before this Court and this Court through a judgment dated 18.11.1999 directed the second respondent to declare the results within two months. The petitioners therefore, approached this Court through this writ petition seeking a direction to the respondents to consider the cases of the petitioners for appointment to the posts of LDC and Typists or any other equivalent post by holding that the publication of the 'nil' result by the respondents rejecting the cases of the petitioners and others, as illegal and arbitrary.

2. In W.P.No.5158 of 2003 and batch a learned single Judge of this Court set aside the notification issued by the respondents declaring 'nil' results and

directed the respondent to consider the cases of those petitioners for absorption pursuant to the orders in B.P.Ms.No.36 dated 18.05.1997 and further observed that if any of the petitioners are not found eligible or qualified communicate the reasons individually to the petitioners within eight weeks from the date of receipt of a copy of the said order. The said order was issued by this Court on 08.10.2004.

3. Since the petitioners also attended interviews of similar posts though on a date different and as the respondents announced 'nil' result on both occasions, it would be appropriate to pass similar order in this writ petition also regarding these petitioners.

4 . The writ petition is accordingly allowed setting aside the 'nil' result announced by the respondents in pursuance of the interview conducted to the petitioners and others on 03.12.2002. The respondents are directed to consider the cases of the petitioners in the light of the orders in B.P.Ms.No.36 dated 18.05.1997 and if the petitioners are not found eligible for the posts of LDC and Typists respectively, communicate the reasons individually to both the petitioners within eight weeks from the date of receipt of a copy of this order. No order as to costs.

Dr. G.YETHIRAJULU, J

17th November, 2004

Note:

Furnish C.C. in three days.

B/o.

SKM

TO

1 The Superintending Engineering (Operation) Northern Power Distribution Company of A.P. Limited, Karimnagar, Karimnagar District.
2 The Chief General Manager, HRD Andhra Pradesh Northern Power Distribution Company of A.P. Limited, Warangal.
3 The Chairman/The Managing Director, Northern Power Distribution Company of A.P. Limited, Vidyut Soudha , Khairatabad, Hyderabad.

4 Two C.D. Copies.